

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

CLINT CARMICHAEL, ) Case No. 8:10-cv-00212  
                          )  
Plaintiff,            )  
                          )  
                          )  
vs.                    )  
                          )  
JP MORGAN CHASE,    )  
                          )  
                          )  
Defendant.            )

**DEFENDANT'S MOTION FOR  
MORE DEFINITE STATEMENT**

Pursuant to Federal Rule of Civil Procedure 12(e), Defendant, JPMorgan Chase Bank, N.A. (“JPMorgan Chase” or “Defendant”), by and through its attorney of record, moves the Court to order Plaintiff, Clint Carmichael, to furnish a more definite statement of his claims on the ground that his Complaint is so vague and ambiguous that JPMorgan Chase cannot reasonably prepare a response.

In support of said Motion, JPMorgan Chase states as follows:

1. Plaintiff's Complaint fails to identify the promissory note, mortgage, security instrument, lien, or loan that appear to be the bases of his claims.
2. Plaintiff's Complaint purports to bring multiple claims against JP Morgan Chase, but refers to unidentified “Defendants,” “Agent,” “Agents,” “Lender,” “Lenders,” “appraiser,” “loan officer,” “trustee,” and “Investor,” who are not otherwise identified as a defendant.
3. Plaintiff's Complaint fails to allege facts showing which acts JPMorgan Chase, as opposed to the other unidentified “Defendants,” “Agent,” “Agents,” “Lender,” “Lenders,” “appraiser,” “loan officer,” “trustee,” and “Investor,” committed to support any of his purported causes of action.
4. Plaintiff's Complaint fails to identify the relevant timeframe for the events about which he complains.

5. Due to the above defects, Plaintiff's Complaint is so vague and ambiguous that JPMorgan Chase cannot properly respond to it.

WHEREFORE, Defendant JPMorgan Chase respectfully prays that the Court will grant the instant Motion, requiring Plaintiff to supply a more definite statement within fourteen (14) days, and dismissing Plaintiff's Complaint, with prejudice, if Plaintiff fails to provide a more definite statement.

Dated this 23<sup>rd</sup> day of July, 2010.

Respectfully submitted,

SPENCER FANE BRITT & BROWNE LLP

By: /s/ Joshua C. Dickinson

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ATTORNEYS FOR DEFENDANT

#### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed electronically with the United States District Court for the District of Nebraska, with notice of case activity generated this 23<sup>rd</sup> day of July, 2010. A copy was served on the Plaintiff, by first class U.S. Mail, addressed to him as follows:

Clint Carmichael  
12602 N. 189<sup>th</sup> Circle  
Bennington, NE 68007

/s/ Joshua C. Dickinson